

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DONALD E. BROWN,)
)
Plaintiff,)
)
v.) No. 09 C 6998
)
UNIVERSITY OF CHICAGO POLICE DEPT.,)
)
Defendant.)

MEMORANDUM ORDER

Donald Brown ("Brown") has tendered a self-prepared Complaint of Employment Discrimination¹ against the University of Chicago Police Department, charging that its refusal to hire him violated the Age Discrimination in Employment Act ("ADEA"). Although this Court is concurrently issuing its typical initial scheduling order, which in part sets an early status hearing date, this memorandum order is occasioned by some problematic aspects of Brown's filing.

To begin with, the "University of Chicago Police Dept." is not a suable legal entity. In that respect Brown (or any counsel appointed to represent him) will not be required to file an amended pleading--instead the University itself will be treated as the defendant.

Next, Brown has accompanied the Complaint with two other Clerk's-Office-supplied forms: an In Forma Pauperis Application

¹ "Self-prepared" is used in the sense that Brown has employed the printed form provided by the Clerk's Office, filling in the requested information in hand-printed form.

("Application") and a Motion for Appointment of Counsel ("Motion"). Both documents call for action by this Court.

As for the Application, it discloses that Brown has no dependents and that his monthly income comprises \$1,400 in Social Security benefits and \$1,250 in monthly compensation from his job with a security firm. That amount of income does not place Brown at or below the poverty level that is required to excuse payment of the \$350 filing fee, although this Court credits his representation that he does not now have as much as \$200 in hand for that purpose. This Court therefore denies the Application, but it grants Brown 120 days within which to pay the filing fee.²


That said, however, it is clear from Brown's income level and his lack of current funds or other assets, as well as from his unsuccessful efforts to obtain counsel on his own, that the Motion should be granted. This Court does so, and it has obtained the name of this member of the trial bar to serve as Brown's lawyer pro bono publico:

Jonathan D. King, Esq.
DLA Piper
203 North LaSalle Street - 20th Floor
Chicago IL 60601

That appointed counsel is expected to confer with Brown, to arrange for service of process on the University and to attend

² To avoid any limitations problem in connection with his lawsuit, if he makes the required payment within that time frame this action will be treated as having been filed on November 6, when the Complaint was received in the Clerk's Office.

the initial status hearing.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style with a large initial 'M'.

Milton I. Shadur
Senior United States District Judge

Date: November 16, 2009